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September 21, 2006

The Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Mr. Secretary:

I am writing to request information about allegations that political influence may have played an undue role in hiring employees for the Coalition Provisional Authority. The Government Reform Committee is scheduled to hold a hearing on Iraq reconstruction on Thursday, September 28, 2006, and the Defense Department has been invited to testify. I would appreciate a substantive response to this request prior to that hearing.

As you know, when allegations of cronyism at the CPA first surfaced in 2004, the Defense Department denied that political ideology played any role in hiring decisions. In a front-page *Washington Post* story in May 2004, a Pentagon spokesman declared that "there was no organized effort to hire Republicans." He also stated: "Nowhere did we ask party affiliation." Although the spokesman admitted that the Pentagon turned to the Heritage Foundation as a source of potential CPA personnel, he claimed that "this was a one-time event."¹

This week, the Pentagon's claims have been contradicted in another front-page *Washington Post* story, which states that a Defense Department political appointee, Jim O'Beirne, directed an organized and systemic screening process to hire Republican loyalists for key CPA positions. The article reports that O'Beirne's office "posed blunt questions" about the political leanings of CPA applicants, including, "Did you vote for George W. Bush in 2000?"² Contrary to the Pentagon's 2004 statements, the *Post* now reports that the Pentagon's outreach program to Republican political operatives was much more than a "one-time event." As the article states:

¹ *In Iraq, the Job Opportunity of a Lifetime; Managing a \$13 Billion Budget with No Experience*, Washington Post (May 23, 2004).

² *Ties to GOP Trumped Know-How Among Staff Sent to Rebuild Iraq*, Washington Post (Sept. 17, 2006).

To recruit the people he wanted, O'Beirne sought resumes from the offices of Republican congressman, conservative think tanks and GOP activists. He discarded applications from those his staff deemed ideologically suspect, even if the applicants possessed Arabic language skills or postwar rebuilding experience. ... [Frederick Smith, the deputy director of CPA's Washington office] said O'Beirne once pointed to a young man's resume and pronounced him "an ideal candidate." His chief qualification was that he had worked for the Republican Party in Florida during the presidential election recount in 2000.³

Not only did Pentagon officials reportedly seek out Republican operatives for these CPA positions, but they now seem to argue that they were legally entitled to do so. The *Post* article states that Mr. O'Beirne, the Pentagon political appointee in charge of screening CPA applicants, "used an obscure provision in federal law to hire many CPA staffers as temporary political appointees, which exempted the interviewers from employment regulations that prohibit questions about personal political beliefs."⁴ In other words, the Pentagon claimed in 2004 that it never asked political questions, but it now claims that it was authorized to do so.

In addition to these reports, there are disturbing accounts of direct political interference by the White House in hiring decisions. For example, this week's *Post* article describes how Frederick Burke Jr., an eminent and talented physician who had worked with USAID in Kosovo and Somalia, was replaced as the head of efforts to rehabilitate Iraq's health care system just one week after the fall of Baghdad. Another USAID official reported that the White House wanted a "loyalist" in the job.⁵

In light of these inconsistencies between the Defense Department's previous statements and recent press accounts, I request the following information:

- (1) A list of the names of all individuals who were hired to work at the CPA (a) as temporary political appointees or (b) by Mr. O'Beirne or his staff, as well as the titles of their positions and descriptions of their employment responsibilities;
- (2) A list of the names of all individuals who applied for, sought out, or were otherwise considered for temporary or full-time employment with the CPA, but were rejected by Mr. O'Beirne or his staff;
- (3) Copies of all resumes, CVs, lists of references, letters of recommendation, and any other materials submitted by the individuals described in (1) or (2), as well as

³ *Id.*

⁴ *Id.*

⁵ *Id.*

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any notes or other evaluations of these individuals by Mr. O'Beirne or his staff;
and

- (4) Copies of all communications, including e-mails, between Mr. O'Beirne or his staff and the Heritage Foundation, other think tanks, political activists, or the offices of members of Congress regarding potential CPA employees.

In addition to these documents, I request that you provide a comprehensive list of the names of all individuals who worked for the CPA as temporary or full-time employees. Finally, I request a briefing from Mr. O'Beirne, prior to the Committee's September 28 hearing, regarding his actions in recruiting and screening CPA personnel, as well as the legal authority for such actions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Henry A. Waxman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Henry A. Waxman
Ranking Minority Member